

COURTESY COPY

SO ORDERED:

George B. Daniels, U.S.D.J.

MAR 09 2015

Dated:

March 9, 2015

Hon. George B. Daniels
U.S. District Judge
U.S. District Court for the Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
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SO ORDERED:

George B. Daniels
George B. Daniels, U.S.D.J.

Dated: MAR 09 2015

Re: *United States ex rel. Platz v. Bank of America Corp.*, No. 12-cv-8399

**Consent Request for Extension of Page Limit for Memorandum in Support
of Motion to Dismiss**

Dear Judge Daniels:

I represent the Defendant, Bank of America Corporation, in the above-captioned matter. Pursuant to Local Civil Rule 7.1(d), the Bank respectfully requests, with the consent of Relator's counsel, a five-page extension of the Court's 25-page limit for its Memorandum in Support of its Motion to Dismiss.

The Bank submits that there is good cause for a small extension of the page limit. Relator's Second Amended Complaint is 33 pages long and alleges several theories of substantive False Claims Act liability as well as a retaliation claim. In response to these allegations, the Bank intends to assert several substantial defenses in its Motion to Dismiss, including failure to state a claim under Federal Rule of Civil Procedure 12(b)(6), and failure to plead fraud with particularity under Rule 9(b). The Bank will also argue that dismissal is required under the False Claims Act's public disclosure bar based on disclosures made before Relator Jon Platz instituted this action. Thus, the Bank respectfully requests a five-page extension of the Court's 25-page limit, for a total page limit of 30 pages.

On March 6, 2015, I conferred with Relator's counsel, who authorized me to represent that Relator consents to Bank of America's request.

Respectfully submitted,

/s/ Jonathan G. Cedarbaum

Jonathan G. Cedarbaum

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Hon. George B. Daniels
March 9, 2015
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